

**REMARKS**

In the Examiner's Action, she objected to the specification asserting that the characterization of "Run A" as a comparative example was an error. Table 1 and paragraph [0027] of the specification have been amended as requested by the Examiner. Applicant has also corrected a clerical error in the spelling of the term "carnauba" in the specification.

The Examiner also objected to the specification asserting that the claim language "synthetic wax esters" and "acid waxes" in original claim 7 found no antecedent in the specification. The description has been amended to provide antecedents for the expressions "synthetic wax esters" and "acid waxes." Because the terminology added to the specification is disclosed in original claim 7, no new matter has been added by the amendment to the specification.

The Examiner has rejected claims 1 to 7 asserting that they do not comply with 35 U.S.C. 112. Specifically, the Examiner has raised four objections relating to an alleged lack of clarity of the claims.

First, the Examiner states that the expression "polyolefin-maleic anhydride graft polymer" is indefinite. A graft polymer is the main backbone chain comprised of a polymer to which side chains are attached. Thus, it would be understood that a "polyolefin-maleic anhydride graft polymer" refers to a polymer comprising polyolefin having maleic anhydride units grafted thereon.

Second, the Examiner has objected to the Markush language utilized in claim 5. In response, Applicant has amended claims 5 and 12 to correctly set out the language of a Markush group.

Third, the Examiner states that it is unclear whether the percentage recited in claim 6 is a mole percentage or a weight percentage. In response, Applicant has amended claims 6 and 13 to specify that the percentage is a mole percentage, as would be understood by an individual of skill in the art.

Finally, the Examiner states that the terms “carnuba wax”, “synthetic wax esters”, “acid waxes” and “maleated hydrocarbons” as recited in claim 7, constitute indefinite subject matter as she believes it is unclear how these terms further limit the “hydrocarbon wax” genus. Applicant submits that the amended terminology of claim 7 is believed to overcome this objection. In addition, Applicant has amended the claim to correct the spelling error in the term “carnauba”. Applicant has also corrected a clerical error in the spelling of “paraffin” in claim 11.

Applicant respectfully submits that the Examiner appears to have inadvertently failed to examine claims 8 to 14 of the present application as originally filed. Claims 8 to 14 are directed to a gypsum slurry composition. These claims have been amended in view of the Examiner’s rejections of claims 1 to 7, as similar terminology is utilized in claims 8 to 14. The Examiner’s review of such claims is respectfully requested.

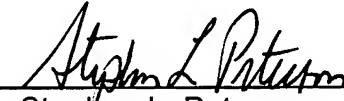
For at least the above reasons, Applicant submits that the Examiner’s objections and rejection have been overcome. Accordingly, Applicant respectfully requests the allowance of all the pending claims.

If there are any fees due in connection with the filing of this amendment, please charge the fees to Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our deposit account.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: October 18, 2004

By:   
Stephen L. Peterson  
Reg. No. 26,325

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